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EXAMINER	
SHANG, ANNAN Q	

ART UNIT	PAPER NUMBER
2614	18

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/295,935	STECYK ET AL.	
	Examiner	Art Unit	
	Annan Q Shang	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cragun et al (5,973,683)** in view of **Collings (5,828,402).**

As to claim 1, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a method of supervising personal exposure to a consumer electronics device having a V-Chip, the method comprising:

the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the content rating "content-based indicator" indicative of the content of the audio/video information (col. 8, lines 1-35 and line 56-65), note that the television program scheduling contains timing information indicative of a reference time; a Parent or a User selects the content rating "content-based specification," (col. 9, lines 47-65) and selects time intervals "a first finite time

range specification," such as, 9:00 PM to 2:30 AM and denies a viewer access within the selected time interval, by disabling the V-chip if the reference time is outside the first time range specification (col. 10, lines 44-60); note further that if the selected content rating exceeds the rating received, a control signal based on the comparison is generated, that causes only allow programs which are approved for viewing within the selected time intervals to be displayed on the child's television.

Cragun fails to explicitly teach comparing the selected content-based specification with the received content based indicator when the reference time falls within the finite time range specification and impairing the program signal if the received content-based indicator exceeds the content based specification.

However, note the **Collings** reference figures 1 and 2, discloses method and apparatus for selectively blocking audio and video signals, where Receiver 20, stores and compares a user selected preferences of categories or rating and a received rating via Broadcaster 26, and when a reference time falls within a selected time range and the received rating exceeds the User or Parent selected rating, impairs the program signal (figs. 1, 2, col. 3, lines 2-16, col. 12, lines 44-52, col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11), note further that the user can enable, temporarily disable, or selectively blocks specific program contents of the various selected time periods, where choices includes Rating Blocking, Channel Blocking, Program Blocking, Viewing Times and Daily Allowance features.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block

the content of a program within a selected time interval, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claim 2, Cragun further discloses, a method where the content rating is transmitted with the program signal, note col. 8, lines 60-65.

As to claim 3, Cragun further discloses, a method where the content rating and the timing information is transmitted with the program signal, note col. 8, lines 60-65.

As to claim 4, Cragun further discloses, a method where the timing information is generated within the CS-10 and REC-40, note col. 8, lines 60-65.

As to claim 5, Cragun further discloses where the reference time indicated by the timing information is the current time, note col. 8, lines 60-65 and col. 10, lines 44-60.

As to claim 6, Cragun further discloses where the content-based indicator and the selected content-based specification is a content rating, note col. 8, lines 60-65.

As to claim 7, Cragun further discloses where the blocking signal is generated if the received rating exceeds the selected content rating, note col. 8, lines 25-35 and col. 11, line 55-col. 12, line 2.

As to claim 8, Cragun further discloses where the received rating and the selected rating is a subject matter category, col. 8, lines 25-35 and col. 12, lines 14-24, note that "undesirable content" is the subject matter category.

As to claim 9, Cragun further discloses where a block control signal is generated if the received content or category such as violence and language matches the selected content, note col. 12, lines 43-61, note that the Adult User can control the value

associated with each content and generate a block signal if the undesirable content matches, above or below a set threshold

As to claims 10 and 11, Cragun further discloses where the control signal is a block control signal and comprises impairing the program signal in response to the block control signal and block the program in response to a block control signal, note col. 11, lines 60-col. 12, line 24.

As to claim 12, Cragun further discloses where the parental control apparatus is a television system and the user discernible information comprises audio/video information, note col. 8, lines 1-10 and line 60-65.

As to claim 13, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a method of supervising the exposure to a consumer electronics device having a V-chip. The claimed method comprising...is met as follows: the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the rating "content-based rating" indicative of the content of the audio/video information (col. 8, lines 1-35 and line 56-65), note that the television program scheduling contains timing information indicative of a reference time; a Parent or a User selects the content rating "content-based specification," (col. 9, lines 47-65)

and selects time intervals "a first finite time range specification," such as, 9:00 PM to 2:30 AM and denies a viewer access within the selected time interval, by disabling the V-chip if the reference time is outside the first time range specification (col. 10, lines 44-60); note further that if the selected content rating exceeds the rating received, a control signal based on the comparison is generated, that causes only allow programs which are approved for viewing within the selected time intervals to be displayed on the child's television.

Cragun fails to explicitly teach comparing the selected content-based specification with the received content based indicator when the reference time falls within the finite time range specification and impairing the program signal if the received content-based indicator exceeds the content based specification.

However, note the **Collings** reference figures 1 and 2, discloses method and apparatus for selectively blocking audio and video signals, where Receiver 20, stores and compares a user selected preferences of categories or rating and a received rating via Broadcaster 26, and when a reference time falls within a selected time range and the received rating exceeds the User or Parent selected rating, impairs the program signal (figs. 1, 2, col. 3, lines 2-16, col. 12, lines 44-52, col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11), note further that the user can enable, temporarily disable, or selectively blocks specific program contents of the various selected time periods, where choices includes Rating Blocking, Channel Blocking, Program Blocking, Viewing Times and Daily Allowance features.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block the content of a program within a selected time interval, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claim 14, Cragun further discloses where the program is impaired by scrambling the program signal, note col. 10, lines 44-60 and col. 11, lines 35-col. 12, line 2.

As to claim 15, Cragun further discloses impairing the program signal by blocking out the program signal, note col. 10, lines 44-60 and col. 11, lines 35-col. 12, line 2.

As to claim 16, Cragun inherent teaches where the selected time interval repeats for each day of a workweek, note col. 10, lines 30-35, note various automated functions could be selected by the user, as such the time range could be selected to repeat for each day of a workweek.

As to claims 17, 18, 37-41, Cragun further discloses selecting a first rating and different time intervals with the selected rating and disabling the V-chip if the reference time is outside the selected time intervals (col. 10, lines 44-60 and col. 12, lines 13-23), and locking out or blocking out during the user selected time, but fails to explicitly teach selecting a second content rating different from the first selected rating within the second selected time interval, comparing the second rating with the received rating within the second selected time and impairing the program signal if the received rating exceeds the second selected rating.

However, **Collings** selectively controls blocking by selecting various content rating different from other selected rating within different selected time intervals, and compares the various selected rating with the received rating within various selected time intervals and impairing the program signal if the received rating exceeds the various selected rating within the selected time intervals (figs. 5, 6 and col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block the content of a program within various selected time intervals, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claim 19, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a recordable medium for a consumer electronics device having a V-chip. The claimed computer program comprising the steps of...is met as follows:

the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the rating "content-based indicator" indicative of the content of the audio/video information (col. 8, lines 1-35 and line

56-65), note that the television program scheduling contains timing information indicative of a reference time; a Parent or a User selects the content rating "content-based specification," (col. 9, lines 47-65) and selects time intervals "a first finite time range specification," such as, 9:00 PM to 2:30 AM and denies a viewer access within the selected time interval, by disabling the V-chip if the reference time is outside the first time range specification (col. 10, lines 44-60); note further that if the selected content rating exceeds the rating received, a control signal based on the comparison is generated, that causes only allow programs which are approved for viewing within the selected time intervals to be displayed on the child's television.

Cragun fails to explicitly teach comparing the selected content-based specification with the received content based indicator when the reference time falls within the finite time range specification and impairing the program signal if the received content-based indicator exceeds the content based specification.

However, note the **Collings** reference figures 1 and 2, discloses method and apparatus for selectively blocking audio and video signals, where Receiver 20, stores and compares a user selected preferences of categories or rating and a received rating via Broadcaster 26, and when a reference time falls within a selected time range and the received rating exceeds the User or Parent selected rating, impairs the program signal (figs. 1, 2, col. 3, lines 2-16, col. 12, lines 44-52, col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11), note further that the user can enable, temporarily disable, or selectively blocks specific program contents of the various selected time periods, where

choices includes Rating Blocking, Channel Blocking, Program Blocking, Viewing Times and Daily Allowance features.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block the content of a program within a selected time interval, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claim 20, Cragun further discloses where the received program content and the selected content is a rating, note col. 8, lines 25-35 and line 56-65.

Claim 21 is met as previously discussed with respect to claim 7.

Claim 22 is met as previously discussed with respect to claim 8.

Claim 23 is met as previously discussed with respect to claim 9.

Claim 24 is met as previously discussed with respect to claim 10.

As to claim 25, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a consumer electronics device having V-chip circuitry for supervising personal exposure to user discernible information. The claimed consumer electronics device having V-chip circuitry comprising...is met as follows:

the claimed "non-volatile memory..." is inherent to Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals and also receives via Parent or User Input, selected rating "content-based specification" and a selected time interval "finite time range specification," note col. 10, lines 44-60;

the claimed "a logic unit..." is inherent to CS-10, note that CS-10 compares the content rating received with the selected content rating and to a selected time interval; a Parent or a User selects the content rating "content-based specification," (col. 9, lines 47-65) and selects time intervals "a first finite time range specification," such as, 9:00 PM to 2:30 AM and denies a viewer access within the selected time interval, by disabling the V-chip if the reference time is outside the first time range specification (col. 10, lines 44-60); note further that if the selected content rating exceeds the rating received, a control signal based on the comparison is generated, that causes only allow programs which are approved for viewing within the selected time intervals to be displayed on the child's television (col. 12, lines 13-24).

Cragun fails to explicitly teach comparing the selected content-based specification with the received content based indicator when the reference time falls within the finite time range specification and impairing the program signal if the received content-based indicator exceeds the content based specification.

However, note the **Collings** reference figures 1 and 2, discloses method and apparatus for selectively blocking audio and video signals, where Receiver 20, stores and compares a user selected preferences of categories or rating and a received rating via Broadcaster 26, and when a reference time falls within a selected time range and the received rating exceeds the User or Parent selected rating, impairs the program signal (figs. 1, 2, col. 3, lines 2-16, col. 12, lines 44-52, col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11), note further that the user can enable, temporarily disable, or selectively blocks specific program contents of the various selected time periods, where

choices includes Rating Blocking, Channel Blocking, Program Blocking, Viewing Times and Daily Allowance features.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block the content of a program within a selected time interval, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claims 35, 36 and 42-43, Cragun further teaches generating a control signal if the rating indicator is within an allowable range of indicators defined by the selected rating and generating second control signal if the rating indicator is outside the allowable range of indicators, to lockout or blackout various selected time intervals where the control signal is used to disable the V-chip (col. 8, lines 25-35 and col. 10, lines 44-60), where CS-10 stores selected time intervals compares the received reference time with the various selected time intervals and disables the V-chip if the reference time is outside the selected time intervals and where the other selected time interval is associated with the selected rating.

As to claim 44, teaches all the claimed limitation as previously discussed with respect to claim 43, but fails to explicitly teach where the CS-10 stores a second selected rating associated with the other selected time intervals and CS-10 "a logic unit" configured to compare the second selected rating with the rating indicator and selectively generating control signals in response to the comparison between the received rating indicator and the second selected rating where the second selected rating is different from the first selected rating.

However, **Collings** selectively controls blocking by selecting various content rating different from other selected rating within different selected time intervals, and compares the various selected rating with the received rating within various selected time intervals and generating control signals to impairing the program signal if the received rating exceeds the various selected rating within the selected time intervals (figs. 5, 6 and col. 17, lines 1-32 and col. 18, line 53-col. 19, line 11).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into Cragun to selectively block the content of a program within various selected time intervals, thereby providing an effective way of blocking offensive or inappropriate television content.

As to claim 26, Cragun further the claimed signal impairment mechanism is inherent to Receiver 40, note figure 2 and col. 8, line 1-24, note that CS-10 is coupled to Display 36 and sends control signals via Receiver 40 to control the television display 36.

As to claim 27, the claimed "data entry system...." is met by CS-10, col. 8, line 1-24, note that CS-10 receives selected rating via User Input 52, including selected time intervals and stores in the memory of CS-10.

As to claims 28-29, the claimed "non-volatile memory," "data extraction device," are all inherent to CS-10, note figure 2 and col. 7, line 61-col. 8, line 35, note that CS-10 inherently includes a memory that stores a look-up list of various selected rating an selected time intervals (col. 10, line 44-60) and extraction device that extracts the received rating and reference time from the program signal.

As to claim 30, the claimed "switch..." is inherent to CS-10, note that CS-10 compares the received rating and the selected rating and time and activates a switch to block undesirable content from the program signal.

Claim 31 is met as previously discussed with respect to claim 12.

Claim 32 is met as previously discussed with respect to claim 27.

As to claim 33, Cragun further selecting rating and time intervals pre-programmed by the manufacturer of CS-10, note col. 8, lines 25-35, note that CS-10, includes a "V-Chips" that is pre-programmed by the manufacturer of CS-10 and comprises a data entry system for selecting the pre-programmed content rating and selected time intervals.

Claim 34 is met as previously discussed with respect to claim 33.

Response to Arguments

3. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection. The amendment to all the independent claims necessitated the new ground(s) of rejection discussed above. This Office Action is made FINAL.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hancock et al (6,701,523) disclose V-chip plus+in guide user interface apparatus and method for programmable blocking of television and other viewable programming.

Schneidewend (6,529,526) system for processing programs and program content rating information derived from multiple broadcast sources.

Yuen et al (5,949,471) disclose an apparatus and method for improved parental control of television use.

Casement et al (6,144,401) disclose television schedule system with access control.

Brian et al (5,548,345) disclose video viewing censoring supervision system.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free).**

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